

Attorney's Docket No.: 06618-816002 / CIT 2280

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :Tsuen-Hsi Liu et al. Art Unit :2653  
Serial No.:09/924,218 Examiner :P. Huber  
Filed :August 7, 2001  
Title :APPARATUS AND METHOD FOR STORING AND/OR READING DATA  
ON AN OPTICAL DISK

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

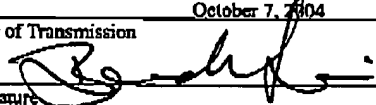
TERMINAL DISCLAIMER UNDER 37 CFR §§3.73(b) AND 1.321(b)

Pursuant to 37 CFR §3.73(b), CALIFORNIA INSTITUTE OF TECHNOLOGY, certifies that it is the assignee of the entire right, title, and interest in the above application by virtue of an assignment from the inventors of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 7481, Frame 0277 on April 21, 1995. California Institute of Technology also certifies that it is the assignee of U.S. Patent No. 6,272,095.

The undersigned has reviewed all the documents in the chain of title of the above-identified application and to the best of

## CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on the date indicated below.

October 7, 2004  
Date of Transmission  
Signature 

Brenda Lewis  
Typed or Printed Name of Person Signing Certificate

Application Serial No. 09/924,218  
Attorney's Docket No.: 06618-816002/CIT2280

undersigned's knowledge and belief, title is in California  
Institute of Technology.

The undersigned is empowered to act on behalf of the  
assignee.

Pursuant to 37 CFR §1.321(b), and to obviate a double  
patenting rejection, the assignee identified above hereby waives  
and disclaims the terminal portion of the term of the entire  
patent to be granted upon the above identified application  
subsequent to the expiration date of U.S. Patent No.6,272,095,  
whereby the patent granted on this application and U.S. Patent  
No.6,272,095 will expire on the same day, provided that any  
patent granted on the above identified application shall be  
enforceable only for and during such period that it is commonly  
owned with U.S. Patent No.6,272,095.

The assignee identified above does not disclaim any  
terminal part of any patent granted on the above identified  
application prior to the expiration date of the full statutory  
term of U.S. Patent No.6,272,095 in the event that it later:  
expires for failure to pay a maintenance fee, is held  
unenforceable, is found invalid, is statutorily disclaimed in  
whole or terminally disclaimed under 37 CFR §1.321(a), has all  
claims cancelled by a reexamination certificate, or is otherwise  
terminated prior to expiration of its statutory term, except for

Application Serial No. 09/924,218  
Attorney's Docket No.: 06618-816002/CIT2280

the separation of legal title as stated above. Assignee herein does not disclaim or otherwise affect any part of U.S. Patent No.6,272,095.

This disclaimer runs with any patent granted on the above application and is binding upon the grantee, its successors or assigns.

Please charge any fees, or make any credits, to Deposit Account No. 06-1050, referencing Attorney Docket No. 06618-816002.

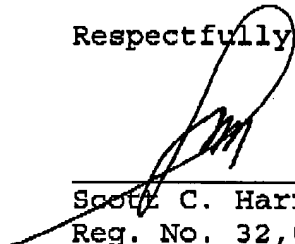
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may

Application Serial No. 09/924,218  
Attorney's Docket No.: 06618-816002/CIT2280

jeopardize the validity of the application or any patent issued  
thereon.

Respectfully submitted,

Date: October 7, 2004

  
\_\_\_\_\_  
Scott C. Harris  
Reg. No. 32,030

Fish & Richardson P.C.  
12390 El Camino Real  
San Diego, California 92130  
Telephone: (858) 678-5070  
Facsimile: (858) 678-5099

10444606.doc